



City of Hampton, VA

Meeting Minutes

City Council

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

W. H. "Billy" Hobbs, Jr.
Will Moffett
Chris Snead

Christopher G. Stuart
Donnie R. Tuck
George E. Wallace

Molly Joseph Ward, Mayor

Staff:

Mary Bunting, City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, November 14, 2012

6:00 PM

Council Chambers, 8th Floor, City Hall

CALL TO ORDER/ROLL CALL

MOLLY JOSEPH WARD PRESIDED

PRESENT: W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

MAYOR'S COMMENTS:

Mayor Ward welcomed everyone to the Public Comment Period.

Clerk of Council Ms. Katherine Glass read the protocol for the Public Comment Period.

PUBLIC COMMENT:

Mr. Eddie Deerfield, 1515 Garrow Circle, greeted those on the dais and made the following statement: It was a sad day in Hampton yesterday around 4 o'clock when our distinguished Police of Chief Chuck Jordan resigned. This man is of the highest integrity and honesty there is. He would tell you like it is, straight up. For the past eight years, Chief Jordan has done many good things for this City. The crime rate is down, and has been since he took the position. The Police force is one of the best in the nation. We citizens in the City of Hampton cannot continue to allow our leaders to continue the corruption that has taken over this small city. They do not listen to the majority of the citizens of Hampton, but to their friends, special interest groups, developers, etc. They appoint those people that they want to the committees and commissions so they can continue to get favorable rulings on what they want. Taking land by eminent domain, Mr. Frank Ottofarro, not paying what they deserve; taking public land from Buckroe because they promised the buyer years ago he would get it; 8,000 citizens signed a petition, but it was ignored; the selling of Harbor Square for \$13.4 million that belonged to a trustee group that includes the Mayor and the Chairman of the Industrial Development Authority; and now, the retirement of the Chief. He is the scapegoat. Our leaders claimed they didn't know anything until August 2012, but the truth now coming out says different. In my opinion, if the truth be known, I would be willing to say the Mayor, Vice Mayor, City Manager, Assistant City Manager assigned to the Police

Department, and the City Attorney knew from the beginning. I feel it is time they are investigated for their part, and that they resign from their positions. There is no transparency from our leaders, but our City Manager goes all over the county receiving awards. What a joke. The Council meetings have been cut to one business meeting and we had to fight to get a second comment session put back in place. They hide everything under resolutions and consent agenda. Again, I believe that it is time for the people I named above to put in their resignations, and let's help our beautiful City move forward.

Ms. Carol Garrison, 410 Shoreline Drive, greeted those on the dais and made the following statement: It has been a decade now that I have been involved with the waterway issues in Hampton. I have participated on committees for the Backriver, Newmarket, Comprehensive Waterways Committee, Community Planning Oversight Committee and Congressman Rigell's Chesapeake Bay Advisory Board, so I'm well aware of the waterway issues. A year ago, the Comprehensive Waterways Committee came up with a list of recommendations that needed to be accomplished if Hampton is to save its waterways and help lessen the flooding and stormwater issues. Several of these items required no or little funding but did require the Council to act. Those items included items such as implementing a wetlands plan, a shoreline plan, waterways maintenance plan and passing the Wetlands Board Sand Dune Ordinance. The Wetlands Board Resolution is a recent recommendation from the Virginia Marine Resources Commission. It is endorsed by the Waterways Committee and no one has ever spoken in opposition to it. Council has not been able to fit this five minute vote into its schedule for over two years. However, you have had time to address how to restrict citizens' input at Council meetings and how to limit people currently on Council for running for Mayor. If even the smallest non-disputed waterway vote is not worthy of Council's consideration, Hampton is headed for serious problems. The City still has issues with boats running aground due to lack of dredging. We have had flooding issues due to the stormwater and tidal flooding effect. Every citizen in Hampton is affected by water issues. Even if they do not boat or experience structural flooding or drive during flooding events, they live in the City that will have to deal with the cost of the Environmental Protection Agency imposing the Chesapeake Bay requirements. The City will legally have to follow the Total Maximum Daily Load restrictions for the Chesapeake Bay. These restrictions came about due to a class action Federal lawsuit and the Federal government will not pay for these fees because it is too hard for us to stop polluting our waterways. Often citizens speak after a flooding event and we are told the City will study it, only to say the same thing for people in a couple of years. I am not here to criticize you, but I am asking you, the waterways affect every person in Hampton. If we can have a monthly report on Fort Monroe, which people are interested in, then surely we can have a report on the waterways and know what is going on with the waterway issues. We have a grant writer, that grant writer has received grants, but not for the waterway issue. If you're going to appoint someone to a task, they should do that task, and that money should be going to the waterway issues. I hope that you all will look at these plans and approve them. We need these plans to apply for grants. If you want the money for us to fix the things, we need you to do something to help the waterways group. Thank you for your time.

Mr. Vinson Raynard, 112 Ethel Drive, approached the dais and made the following statement: First I want to thank Mr. Anthony Reyes, your Public Works Director, and Mr. Quincy Daniel, Stormwater Operations Manager, for coming out and addressing the flooding issue in my neighborhood. They actually came out the very next morning and dealt with me, and I was very happy about that. But I wanted to address another problem

that I feel like the Council could help us with, and that is an issue that citizens have putting out bulk waste early in the week. When we do get flooding the bulk waste floats and it plugs the drainage in our streets. I don't understand why. I called 311, they send people out and they give them three days to deal with the issue. I feel like that's too long of a time to give people to remove bulk waste from the curb. My third issue involves pollination. I provide the beehives out at Bluebird Gap Farm. I'm a member of Colonial Beekeepers. I was wondering if some of the somewhat idle property that the City manages, if it would be possible for amateur beekeepers to place hives on them. I was driving by the Virginia School of the Deaf and Blind, and I understand there are a lot of issues about their property right now, but beehives are very portable. If somebody took possession of the property, it would just be a matter of driving a truck in there, throwing the hive on it and driving away. I just wanted to promote pollination in the City and anything Council can do to help with that, I would appreciate it. Thank you.

Mr. Frank Ottofaro, Jr., 347 Wrexham Court, greeted those on the dais and made the following statement: I'm here tonight for several reasons. To start off with, November 6th, we had a landslide victory on eminent domain reform in the state of Virginia; 2.3 million Virginians voted that it had more restrictions on government taking your property and giving it to another private individual. So that's a victory. My dad's case was one of those that was used in that. I'm also here on behalf of my father's continuing 12 year fight up until his death on March 14th of this year, to seek the remainder of the money owed to the Ottofaro family in the amount of \$240,000 plus 12 years and 10 months of interest from that time period, to make him fair and equal to what everybody else over there had gotten. He was involved from the beginning, at the same church, the same night, the same meetings. Some people out here think that he came on board with this after he found out what everybody else made. That was not true. He was on board from the very beginning. So until that's resolved with the City here between the Ottofaro family, we're going to keep pushing this issue even further. Another item I'd like to cover is the Harbor Square Apartments. Right now, we've got about 10-12% demolition going on over there. Several of the buildings have been taken down. Back in December of 2011, the Daily Press reported that asbestos and lead and roach and other insect infestations were noted inside those apartment buildings. Now by law, Federal law and State law, to remove asbestos and lead, it's got to be done before the buildings are taken down. There's got to be chains of custody generated for every sample taken and analyzed by a lab. There must be hazardous waste manifests for every truck that hauls that waste away to regulated landfills, not to Bethel, to a regulated landfill. There must be certificates of disposal for every single load that's taken there and dumped and those have got to go back to whoever generated the waste. These are laws. These are Federal and State laws. Now I don't know if they've been done or not, if they have then the City should have no problem releasing these documents to the public. Channel 10's here, I challenge WAVY TV10 and also the Daily Press to do a follow up story on what they've already reported regarding the asbestos and lead in these apartments. I found out a price tag, a total demo for this job is around \$1.2-\$1.3 million. Now, demo companies, the way they make their extra money is in recyclables. Copper, steel, things like that get recycled. They make extra money off of that. But still, with all those things factored in, a \$1.2 million or \$1.3 million price tag to totally demo these apartments, the numbers don't add up. They don't add up. So we need to find out, the citizens around that area who live there, work there, City Hall, Police Department, everybody who's in the vicinity of those apartments being demolished. Although they're spraying water on it, which is required when you demo something, you still have got to generate those documents to make sure the public is not at risk. I'd like to see them. Thank you.

Ms. Lisa Cumming, 801 N. 5th Street, greeted those on the dais and made the following statement: I'm here to talk about some recent events that happened in Hurricane Sandy. Primarily, we were very lucky that we didn't get impacted directly, but where I was raised, Staten Island, was impacted very, very much. What I'd like to request is that maybe we do more of – we do a lot of outreach to our citizens, but maybe more to the elderly population that maybe do not have access to electronic or technology means. For instance, 50% of the fatalities in New York, 50% occurred on Staten Island. The age was 2-89. The majority of those victims were in their elderly ages. They did not leave their homes because of pets. Those same reasons are why – I'm in Zone A, I don't evacuate sometimes because 1) Isabel only came up to the bottom of the street, 2) I'm worried about my pets, 3) I have some elderly neighbors in my area that don't want to evacuate because of pets. I think we really need to encourage, maybe educate them on the options that are available for our pets, to get those people out of there. We can't do anything about those who are concerned about looting, but we can certainly move the elderly out. There are also transportation issues. I know Hampton does a great job with transportation but sometimes these folks don't want to move. The topography of Staten Island is very similar to Hampton. The population – it's not a small island. The population is very similar to Hampton's population. The topography that was hit was the south and southwest parts of the island. The two most major areas were Midland Beach and New Dorp Beach. The difference is, their houses were not on the beach. There's a half mile to a two mile green space in that area, which is very different. Those folks probably didn't think that the houses were going to flood. They flooded. A 12 foot surge will cave in where a majority of these folks were, in basements. They were trying, for whatever reason, probably getting their pets out or in, they were trapped under staircases. If you want to see what a 12 foot surge will do to a house, look up SILive.com, that's the Staten Island advance, you don't have to pay to access it. You can see the pictures of the devastation of that island. I'm just really concerned, I wanted to make that we outreach, possibly with civic associations, emergency management, churches and vet. Not all the City, but maybe we could have some kind of consolidated effort and if there's anything I could do, I would like to.

Mr. John Krulis, 3631 Chesapeake Avenue, greeted those on the dais and made the following statement: My first item is my mea culpa. Last time I was up here, which was in the wake of Mr. Gear being carted off, so it was a little bit nerve-wracking, it's nerve-wracking right now, my three minutes. But Ms. Glass pointed out to me, after I had pointed out that you could not – I could not find, I should say I could not find the minutes for your meetings on the regular whatever you call it – I'm not a computer person, so you've got to take that into account. They are available. They weren't available where it is that obviously I went to previously. And they're still not there, that's all missing, but they are elsewhere. So thank you, Ms. Glass, very much. I appreciated that. She immediately corrected me and I always want to make sure that when I've made a mistake that I make note of that, which I wish the City could do. I really do, I wish you could do the same. Poor Mr. Ottofarro died not having that happen to him, so I really... The other little thank you, I'm going to run out of time, I got my notice that my abatement, tax abatement, was approved for next year, which I thank you for and I'm hoping the firemen will be thankful for the extra shrimp that that will mean. The one thing on my agenda – this resolution 19, I don't know whether I'll have the staying power to get there. Really and truly, folks, that is outrageous. This is outrageous. To think – I don't know whether you've talked to people beyond the City. I sometimes wonder who you talk to period. You don't talk to the people out here in the City. So, do you talk to people higher up? I don't know. Do you know people in Richmond that advise you on all these things? I

would call this punitive. It doesn't even accomplish anything. If you want to keep somebody in City Council from taking your seat – this is punitive, this is like in your face. You know what I mean? You know what I mean. You know exactly what I mean. This is so unnecessary and it's so vindictive. Resolution 19, folks, these folks are not being listened to. I don't know what you do listen to. I really don't. Sometimes it's disconcerting. When mistakes are made - I'm not going to add anything to your current troubles, you've got your hands full. But you know what? You've brought it on yourself, most all of it, well, all of it. I've said many times before, you couldn't get me to sit up where you're sitting. I do thank you for serving, however, you got to start listening.

Ms. Debora Frazier, 1309 Auburn Lane, greeted those on the dais and made the following statement: The Coalition for Justice for Civil Rights expresses our sincere thanks to the Citizens' Unity Commission for their hard work and dedication in addressing the Citizens' Police Review Committee. We also thank this City Council for listening and being supportive. Thank you.

Mr. Kevin Watkins, 1309 Auburn Lane, greeted those on the dais and made the following statement: First, I want to wish you all a Happy Turkey Day next week. Eat plenty of turkey, you can eat the fat on it too, don't cut it off. I am the executive vice president in the Coalition for Justice for Civil Rights. For years, diversity has been an issue in the City of Hampton's Police Division. For those of you who feel doubt in this key fact, simply look at the Division's leadership. In a City of 50% African American population, we have never had an African American assistant chief or police chief. But there are qualified men and women of color in the police department ready to lead and take the helm of this embattled department. Major Ron Davis has been dedicated for 25 years of his life in the blue uniform for the Hampton Police Division. During these years, Maj. Davis has held every important post the Division has had to offer. Involving civic groups in neighborhood associations, in the 1990's, Maj. Davis worked with the Coalition, then Mayor James Eason, and City Manager Bob O'Neill on an important initiative to combat crime and clean up the streets of Hampton. The 1990's crime initiative was a success. Together, we fought for tenant rights against slum lords, protecting single family homes, and fighting and combating high violent crime, which stood as a shining example for honesty and effective police work. In the Coalition's opinion, it is now time for Maj. Davis to assume the position as Assistant Chief. The Hampton Police Division is one of the only departments that does not have an assistant deputy chief position. Operating and serving as a much needed check and balance system in the department, the Coalition feels Hampton should join its sister cities in establishing a deputy chief's position within the division and none other than Maj. Ron Davis be appointed to serve in this position. The Hampton Police Division needs new, culturally diverse leadership more than ever now. New leadership for the future: Maj. Ron Davis for Assistant Deputy Chief.

Brother Ankh Unu-EI, 1645-6 W. Pembroke Avenue, greeted those on the dais and made the following statement: I am a member of the Coalition for Justice for Civil Rights. The grand abuses uncovered in the failed police cigarette sting operation qualify as one of the largest civil rights violation in the Coalition's history. The embezzlement of over \$3 million belongs to the 136,000 taxpayers of the City of Hampton. For over 19 months, Hampton Police Division operated Blue Water Tobacco Company as a shell entity, even after the Bureau of Alcohol, Tobacco, Firearms and Explosives withdrew from the joint operation after one of its own agents was arrested and subsequently convicted on corruption charges. Despite this first warning sign, an obvious fact that any subsequent prosecution would now be tainted, HPD continued to collect, deposit and dispense

millions of dollars in a scheme known as money churning without ever seeking or receiving expressed consent of the City Council. This money churning activity has been called into question by the Virginia State Public Auditor of Public Accounts who openly expressed, in his 36 years of public service, he has never seen anything like this, and maintains he has no clue what authority the police had to spend such large sums of money. The Coalition contends that HPD and City management egregiously misused and misappropriated taxpayers' monies in the operation of the Blue Water Tobacco Company, thereby committing a criminal act. Accordingly, the Coalition has filed a motion in Circuit Court asking judges to appoint a special grand jury and a special prosecutor to investigate the egregious violations of law and policy, both by HPD and City management. The Coalition has lost all faith in the investigations being conducted by legal and accounting firms deep in the City Manager and City Attorney's pocket. We call upon the citizens of Hampton to join us in requesting a special grand jury and prosecutor. Now, will you stand up for justice, or 1) continue to allow a corrupt police division to hoodwink into illegal money churning operations, 2) continue to employ a City Manager and Police Chief who mislead this body over and over again, 3) continue to allow your colleagues to misuse and abuse their power by locking up innocent men and women for crimes. The Coalition will prevail. Thank you and good night.

Mr. Rudy Langford, 1446 W. Queen Street, President of the Coalition for Justice for Civil Rights, approached the dais and made the following statement: I am very proud to serve as the president for the Coalition for Justice for Civil Rights. Tonight, I address this Council with a heavy heart. Many of this Council's members, many of you I have known for a long time, over 20 years some. I have supported some of you and I have opposed some of you, but I have always tried to be honest and fair, calling it just like I see it, whether it hurts or not, I've done that. The Coalition is seeking the truth as to what happened in the cigarette sting. Who was involved? Who knew what? When did they know it? The Coalition wants closure to this terrible black eye to our City. The Chief of Police states that the City Manager's office and the City Attorney's office, and we'll throw in Linda Curtis, who was Commonwealth Attorney at the time, was more involved than what they are saying. There are hundreds of unanswered questions and the Coalition offers this solution. This is the only solution because we are seeking the truth. We are asking that Linda Curtis, Mayor Molly Ward, City Manager Mary Bunting, former Chief of Police Chuck Jordan, Major Randy Seals, and Major Ed Lattimore take polygraph tests, because the investigations going on are not going to reveal the truth. The outgoing Police Chief so stated that. So we're asking for a special grand jury to get to the bottom of this. If you agree to take the polygraph test, the Coalition will withdraw our motion and we will not file the civil lawsuit this coming Monday, and we will go quietly into the night. Let me say that the Coalition has always supported Mary Bunting, even before Mary Bunting was appointed City Manager, we supported Mary Bunting, and we will always support Mary Bunting, but the Coalition does what we do, and Mary, you do what you do. But let me make it explicitly clear, I will never compromise my principle or my integrity for a seat on the Planning Commission. Those of you who on Council think that I would have, shame on you. The fight goes on, the Coalition will endure, we will seek justice and the hope and freedom will never die. Thank you.

Mr. Bob Nuckles, 17 Whitaker Avenue, greeted those on the dais and made the following statement: How should inappropriate conduct be handled by the Council when people get out of line? You recently put Tom Gear under arrest and he promptly took it into court and issued subpoenas to all of you all to go in the courtroom. That's not the way to handle inappropriate civil conduct before the Council. There's at least four

different ways you could do it. First, you could simply tell the people that there's what is known as 5th Amendment to the Constitution. If you sit up here and admit to a crime, it can be used later in a courtroom; you don't want to do that. That's what Phil Hamilton made a mistake – he put it on email. General David Petraeus just put his stuff on email. It will come back and bite you if you're not careful, so do not admit any crime. Past 500 years ago, when they had the inquisition and they could do that, you can't do that anymore under our Constitution. So you were right in not saying anything about a criminal ongoing investigation. That's the first way you can do it, that's the criminal way to do it. Second way to do it is to inform the people about the Freedom of Information Act. Now not everyone's been to law school, I know there are at least two lawyers on the Council. With FOIA, people can get copies of documents after an investigation is over. You should not see anything while in an ongoing investigation. It's a small city, everybody knows everybody, no matter what you do in your job. When it's over, they can request, I could do it, Tom Gear could do it, anybody can do it, for 5 or 10-cents per page, you can get a copy of the document. But before it's over, anybody getting involved in this can influence the investigation and you do not want to do that. You do not want the investigation compromised at any time before it's over. There's a couple other ways you could do it besides putting people under arrest. One, in some courts, particularly at a local level, the judge will just simply turn around from your seat and start snoring. That way, you don't have to listen to it. When people come in here over and over and over again, you don't have to sit here and listen to this all over again. That way, they'll get the big idea and you won't have to be bothered. The third way, or fourth way, that you can handle this problem is, before putting people under arrest, is simply get up, leave the room and when he gets through talking, he'll leave the podium if nobody listens and then he'll go. That's what I've got to say tonight.

Ms. Teresa Schmidt, 16 Edgewater Road, greeted those on the dais and made the following statement: Over the last year, I've heard a resounding theme on moving Hampton forward. This can take on many forms and many, many meanings, depending on who you ask. To me it means supporting and enhancing our education system, creating a strong tax base, nurturing our race and ethnic relations, beautifying our City aesthetically, and last, but absolutely not least, ridding our communities and our streets of crime. Yesterday, we took a huge step back with the resignation of Police Chief Charles Jordan. This man has made some of the best efforts to train and educate his officers. We haven't seen some of the newest crime waves in our growing City because Chief Jordan stopped many of them before they took hold. Without even looking at the report in regard to the cigarette tax, I think we can at least all agree that Chief Jordan made no personal gain off the sting. His only motive was to, once again, rid our City of crime. Many other cities have been riddled with hard crime. We have been very fortunate in that we have not. Perhaps his ignorance of the churning law was an error on his part, but I'm certain there's not one of us who have not made a wrong decision based on the information we had or did not have. Although it may be too late, I hope you will consider finding a way to restore a working relationship and reinstate Charles Jordan as our Chief of Police. This will be a true step in moving Hampton forward. Thank you.

Mr. Jim Harris, 121 Winchester Park, greeted those on the dais and made the following statement: I would like to speak on resolution 12-400 and ask the Council tonight if they would defer or restrain from passing this to give the citizens a better chance to study and understand exactly what's happening here. In the best interest of the citizens, there are a certain number that elect Council members every four years and they expect them to serve 4 years of that term. I can't see any conflict of interest in any person on the

Council running for Mayor, actually, I wish two or three of you would run every time, whoever wants to run. I do ask that maybe the Council consider that, and maybe there already is a resolution to that, that if a Council member or Mayor wishes to run for a State or Federal office, then I think they should retire. I don't see how they could do both. They would have to focus on one or the other, one would have to go. I would also like the Council to consider the possibility of a one term Mayor. With the way things move this day and time of change and everything else, I think it would be nice for a one term Mayor and then someone else to have a chance at it, then if the other person wants to come back four years later and run and make it, I think that would be fine. I just ask the Council to take this into consideration for the best interest of all the people in the City of Hampton. Thank you.

Mr. David Braunbeck, 2111 E. Pembroke Avenue #4B, greeted those on the dais and made the following statement: I'm going to speak on some things in general. I've seen some people come and go, and I don't agree with everything that happens in the political system. I'm a victim of a political issue myself. I was discriminated against for para-transit service. I'm still fighting that issue. I guess I'm going to be the new Mr. Ottofaro. But I'm going to take a deep breath because I'm coming and I'm going to come hard at it. Now, I've been up here for numerous issues and I've asked the City Council to listen to the citizens and so forth. So far, I've watched the meeting in the past few months, and we had a former delegate and City Councilman arrested. He has served this City well. I'm not going to try to sound biased or anything like that but I go to the same house of worship as that man at St. Joseph's Catholic Church. That man was ill, and he was escorted out by the Hampton Police Division and the Sheriff's Division and, from what I understand, subsequently arrested. I'm saying, if you can do it to a former delegate and City Councilman, what would you do to me? Be aware of this, I will be coming back concerning my issue. I will make my issues known. We've got the news media here tonight. All of you news media outlets will listen to me, just once I'm going to go ahead and let my side of the story go, because I'm getting tired of every time I come up here. Hampton Roads Transit says you did this and you did that. Well, they let a man that had a breathing issue back on the para-transit system. Now, I'm a Type 2 Diabetic, I have numerous issues, I have an electric wheelchair and people cannot haul me from here to there every time I need to go somewhere. So I challenge each and every one of you again to work with me on this issue. I hope that Mr. Ottofaro's issue will be settled real soon, because it looks like one of the parts of it was settled when we voted that. Thank you.

Mr. Johnnie Carroll, 3608 Victoria Boulevard, greeted those on the dais and made the following statement: I am here tonight to address the problem of this tobacco sting. Before I do, I want to make a confession that I am a tobacco user. I have been known to enjoy a wonderful cigar after celebrations in my life, most recently, my graduation with an Associate's Degree. However, the taste of this tobacco sting has left a very bitter feeling, not just towards me, but towards the rest of the citizens. I have to ask myself, how much are we going to lose? We already yesterday lost the Police Chief and now it seems that the hole gets even deeper, the smoke is getting even thicker. We have just begun to scratch the surface. I mean, really scratch the surface. How is it that we can have a former delegate come here and try to address the situation and then, he gets carted off? I didn't put six years in service to this country to have my people carted off when they're trying to address a problem. What kind of government is that? Is that the government that you want for our kids and grandkids? That's horrible. The money issue? It's an urban legend that the officers, that police have stings and busts because the

money is a little tight, and sure, the money goes towards funding police programs. That's the urban legend of it. Why would they have to do something like that unless somehow the purse strings were a little tight on another end? Is that true? I mean, we see how much we're going to spend in building that wonderful courthouse over there, and still we don't know if the demolition is being done right. I just wanted to get that out there. I just want you to concentrate on it because this is just the beginning. We don't know how far this goes. Have a nice evening.

Mr. Edwin Boone, 48 Snow Street, greeted those on the dais and made the following statement: I've been involved in this political scenario for about 4 years now. This is information I have here, recently just on the police sting. I need some clones, I can't do it all by myself. I need some help, I need the citizens to get involved. We have Harbor Square, we have the Buckroe scenario, we have the police sting with the cigarettes. When the Mayor mentioned that she only knew August 1st, when the Police Chief had a police sting, and he didn't inform the Mayor before that, and then the City Manager and the City Attorney said they didn't know until – and the Police Chief resigned last night and said they knew beforehand when they first admitted. We need the citizens to get involved because I can't do it by myself. I also want to mention that Dan Curran just showed up, he was late, he didn't get a chance to sign the list and he wants to address the public also. Again Mayor, we want to know when did you find out about the police sting? We know that two Council members did answer, so therefore, it is not engraved in granite that they cannot answer. The citizens want to know, when did you find out and from whom? Tom Gear took it to the highest level that we could ever have thought of, is taking it to the court system and have them under subpoena. Other than that, how are we going to get to the truth, because we can't talk to them here at the three minute open mike. They sit there and they got their 4 votes. One hearing in the public, the second hearing, second meeting is only giving out awards and public comment. The only serious one is this one they have here, the first of the month. We need to get two Council meetings, two business meetings, and we need to go from 3 minutes to 5 minutes, and I personally need some clones because I cannot do all this research and speak in public by myself with all this information floating around. A lot of times, at the second meeting, out of 140,000 citizens, I'm a taxpayer, I'm a business owner, got my own business license, the citizens, I mean the City Council aren't showing me any respect. And George Wallace, I want to know, I asked five times when he was running for office, why is it five years later that there's still 0% of minorities and women getting contracts, you've never answered yet. So you say you've got the disparity study, but I'm still looking for the answer. Why is it still 0% five years later and why hasn't the new disparity study been established. Thank you.

Mr. David Deitrich, 139 Wilderness Road, greeted those on the dais and made the following statement: I'd like to address several issues this evening. First of all, I'd like to start with you, Mayor Ward. At the last City Council meeting last month, I'd like to say I was offended by your behavior at that meeting. I believe, I truly believe you abused your power running the City Council meeting when Tom Gear was using his three minutes, he should be able to use his three minutes as he wishes. Now at the end of his three minutes, if he refuses to leave the podium, then you should be able to tase him, arrest him, shoot him, whatever, drag him out by his heels, but during that three minutes, that's his time and I contend that you abused your power and mistreated him in that case. Secondly, City Manager Bunting, I've asked you some questions, you answered them about law enforcement in Hampton and emergency preparedness. I sent you another set of questions; I'd like to get some responses to those. More generally, when it comes to

law enforcement in the City of Hampton, who has final authority? Does the local, State or Federal have final authority if there's a question? Regarding the hurricane situation that we just had, and fortunately missed Hampton, what have you done to keep Hampton safe in a way safer than it was, than New Jersey and New York were? I expect from somebody managing the City to provide us the means to help ourselves first, and then tell us what you're doing to prepare us for those types of situations. Mayor Ward, several things. What's your plan for the use of the Hampton seal? I haven't seen a follow up on that. Public inquiries: what's the situation with those? How are you going to address them? Are you going to allow individuals to do that from the City Council? Resolution 19 or 12-400, I very strongly urge you to vote no against that. People are elected for 4 year terms; they should be able to serve those regardless of what position they run for. Political signs on public property, I highly encourage you to vote in favor of those if that resolution ever comes up. Finally, the cigarette sting. I've just a few minutes. What's the City Council doing about this situation? Doesn't the City Manager work for the City Council? Chief Jordan's resignation is one of the best things that has happened so far regarding this case. He took the responsibility to resign and I believe City Manager Bunting and City Attorney Hudson need to resign as well, or be fired for what they did in this case. Thank you very much.

Mayor Ward noted that Mr. Deitrich was the last citizen signed up to speak. She asked if there were any others wishing to address the Council. Two additional speakers approached the dais.

Mr. Dan Curran, Newport News, publisher of the James River Journal, greeted those on the dais and made the following statement: First, I want to be clear. I want to thank you all through this crisis, you have answered every request that we've sent in. The reason I'm here tonight is the answer that we received, is my concern. I do want to say also, we're very proud of the fact that earlier this year, we were sent in as a model for the International Public Information Officers Association of how the news should be reported in the new media style. We do have that recommendation that we carry that we're doing it right. So, I wanted to go from there and say that a few days before former State Delegate and our reporter Tom Gear came down here and spoke, forgot that he is no longer a politician and overstepped his time, that we had received a tip from a very high ranking member of the City of Hampton telling us that, in regards to the cigarette sting and in regards to everything else going on, that in his words, I can't use the exact words, but in his words, this was the most corrupt Council he had ever seen and it was time to do something about it. Now I'm not here tonight to say that that is true or not true. I have met each and every one of you, spent time with each and every one of you, I think that you're all nice people with good purposes here, City Manager and City Attorney included. But that accusation did come forth and we have tried to investigate it. What we found after the cigarette sting - in that tip, we also received that what we need is we need the texts between our Mayor and the City Police Chief Jordan. That's where the evidence is, is in those texts. Again, whether or not that is true, I do not know, but that is the tip we have received. In Chief Jordan's resignation letter, he clearly indicates that there is more to this story than what is being let on. We did send in a request for that information. We've been playing that game back and forth for a few weeks, getting the wording exactly correct. Then yesterday, our agency was told that for \$250, we could have the information. Which is fair; that's fair, there is a cost to get the information. This morning, after a phone call, we were told - I'm sorry, Tom was told that the Mayor had not given instructions for that information to be released. Therefore, that information will not be released. That is the information we have requested to prove whether or not that

evidence is there. I'm almost done. We simply are saying let's come forward with the information – we are not accusing anyone of anything. I think you're an outstanding Council, but we have to act on these tips that we have. Thank you very much.

Mr. Hugh Bassett, 117 Rip Rap Road, made the following statement: I think this Council should refuse to accept Chief Jordan's resignation. Chief Jordan has served this City for 25-30 years and to have his career end on this note. Now, unless some things are happening that we don't know about – but of the information that I've read in the paper and heard so far, I don't see any reason for him to resign. I think he should keep his job. I think he's done it very well. If you want to find out what happened in the cigarette sting, you do like they did in Watergate, you follow the money.

Mayor Ward called for additional speakers. There were none.

Adjournment

Molly Joseph Ward
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____

I am Carole Garrison from 410 shoreline drive

Good evening Mayor, council

It has been a decade now that I have been involved in waterways issues in Hampton. I have participated on committees for Backriver, Newmarket, Comprehensive Waterways committee, Community Plan Over site Committee and Congressman Rigel's Chesapeake Bay advisory board. So I am very aware our waterways issues.

A year ago the Comprehensive Waterway Committee came up with a list of recommendations that needed to be accomplished if Hampton is to save its waterways and help lessen the flooding and stormwater issues. Several of these items required no or little funding but did require the council to act. Those included items such as implementing a wetlands plan, a shoreline plan, a waterways maintenance plan and passing the Wetlands Board Sand Dune Ordinance. The Wetlands Board Resolution is a result of a recommendation from VMRC. It is endorsed by the waterways committee. No one has ever spoken in opposition of it. Council has not been able to fit this 5 minute vote in its schedule for over two years. However, you have had time to address how to restrict citizen input at council meetings and how to limit people currently on council for running for mayor. If even the smallest non-disputed waterway vote is not worthy of councils consideration Hampton is headed for serious problems.

The city still has issues with boats running aground due to lack of dredging. We have had flooding issues due to the storm water and tidal flooding effects. Every citizen in Hampton is effected by the water issues, even if they do not boat, experience structural flooding or drive during flooding events they live in the city and will have to deal with the cost when the EPA imposes the Chesapeake Bay requirements. The City will legally have to follow the Total Maximum Daily Load restrictions for the Chesapeake Bay. These restrictions came about due to a class actions federal lawsuit and federal government will not pay for these fees because it is too hard for us to stop polluting our waterways.

Often citizens speak after a flooding event and are told the city will study it. Only to say the same thing to people in a couple years when they flood again. I am speaking to you today not to complain but to give you a suggested course. Citizens do not know if anything is ever done with water issues they just see their properties continue to lose value. As I said water issues effect every citizen. The city has a monthly update for Fort Monroe each month. While it is of interest to many it does not effect every single citizen in Hampton. That is why I am asking, no begging you, to commit to doing a waterways monthly update in your meeting each month.

The city hired a waterways grant writer. To this date she has received a grant however it was not for waterways related items. If you are going to hire a person for a task they should actually be working on that task. She should be meeting with the waterways people and the people who volunteered for the recommended adhoc lobbying group to try to get funding for our issues. If she is getting money for other areas in the city that money save should be directly applied to a waterways recommendation.

Lastly the council needs to take the time and vote on the recommended plans put forth so we can then apply for grants where those plans are required. You especially need to take the time to vote on the Wetlands Sand Dune Ordinance. Making these groups wait for over two years is a disgrace.

Hampton City Councils over the last several decades has not been a friend to the waterways but a hindrance by accelerating the pollution of the waterways by dumping of sediment. and only sporadic work in the area of maintaining these resources which Hampton includes in every picture in their marketing campaign. When Mr. Steiner gave his recommendation for rebuilding down town

he indicated the one important resource which could be capitalized was our waterways. Now is the time for you to decide if you will follow previous councils and allow for further destruction or are you going to set the example for future councils and be the council that stands up and develops and enacts plans for protecting our waterways and our city.

Thank your for your time

Ms. Glass please enter my comments in the record in their entirety.

Hampton City Council Meeting

14 November 2012

Good evening Ms. Ward, Council Members, Ms. Bunting and Ms. Hudson. My name is Eddie Deerfield and I reside at 1515 Garrow Circle.

It was a sad day in Hampton yesterday around four o'clock when our Distinguished Police of Chief, Chuck Jordan resigned. This man is of the highest integrity and honesty there is. He would tell you like it is straight up. For the past eight years, Chief Jordan has done many good things for the City. The crime rate is down; and has been since he took the position. The Police Force is one of the best in the nation.

We citizens in the City of Hampton cannot continue to allow our leaders to continue the corruption that has taken over this small city. They do not listen to the majority of the citizens of Hampton, but to their friends, special interest groups, developers, etc... They appoint those people that they want to the Committees and Commissions so they can continue to get favorable rulings on what they want. Taking land by Eminent Domain, (Frank Ottofaro) and not paying them what they deserve, taking public land from Buckroe because they promised the buyer years ago that he would get it, (8000 citizens signed a petition, but it was ignored), the selling of Harbor Square for \$13.4million that belonged to a Trustee Group that includes the Mayor and the Chairman of the IDA, and now the retirement of the Chief. He is the scapegoat!

Our leaders claimed that they didn't know anything until August 2012, but the truth now coming out says different. In my opinion, if the truth be known, I would be willing to say that Mayor, Vice Mayor, City Manager, Assistant City Manager assigned to the Police Department, and the City Attorney knew from the beginning. I feel it is time they are investigated for their part, and that they resign from their positions.

There is no transparency from our leaders, but our City Manager goes all over the country receiving awards. What a joke! The Council Meetings have been cut to

One Business Meeting and we had to fight to get a second comment session put back in place. They hide everything under resolutions and consent agenda.

Again, I believe that it is time for the people I named above to put in their resignations, and let's help our beautiful city move forward again.

Eddie Deerfield